

HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HUNTERS CAPITAL, LLC et al.,

Plaintiffs,

v.

CITY OF SEATTLE,

Defendant.

Case No. 20-cv-00983 TSZ

SUPPLEMENTAL DECLARATION OF
SHANE P. CRAMER IN SUPPORT OF CITY
OF SEATTLE'S REPLY IN SUPPORT OF
MOTION FOR SUMMARY JUDGMENT

I, Shane P. Cramer, declare as follows:

1. I am one of the attorneys representing the City of Seattle in this action. I am over age 18, competent to be a witness, and making this declaration based on facts within my own personal knowledge.

2. **Exhibits 1 through 50** were attached to my September 29, 2022 Declaration in Support of City of Seattle's Motion for Summary Judgment (Dkt. 112), and are not also attached to this declaration.

3. Attached as **Exhibit 51** is a true and correct copy of excerpts from the deposition of Jenny Durkan, taken in this matter on December 8, 2021.

4. Attached as **Exhibit 52** is a true and correct copy of Governor Jay Inslee's March

SUPPLEMENTAL DECLARATION OF SHANE P. CRAMER IN
SUPPORT OF CITY OF SEATTLE'S REPLY IN SUPPORT OF
MOTION FOR SUMMARY JUDGMENT - 1
(Case No. 20-cv-00983 TSZ)

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23, 2020 “Stay Home – Stay Healthy” Proclamation number 20-25. This document was collected from the State’s website at <https://www.governor.wa.gov/sites/default/files/proclamations/20-25%20Coronavirus%20Stay%20Safe-Stay%20Healthy%20%28tmp%29%20%28002%29.pdf> on February 5, 2022 and attached as Exhibit 1 to the Declaration for Tyler Farmer in Support of City of Seattle’s Opposition to Motion for Class Certification (Dkt. No. 75-1).

5. Attached as **Exhibit 53** is a true and correct copy of Executive Order 2020-04 signed April 6, 2020 by Mayor Jenny Durkan. This document was collected from the City of Seattle’s website at http://clerk.seattle.gov/~CFS/CF_321660.pdf on November 15, 2022.

6. Attached as **Exhibit 54** is a true and correct copy of the CDC’s Media Statement dated February 29, 2020. This document was collected from the CDC’s website at <https://www.cdc.gov/media/releases/2020/s0229-COVID-19-first-death.html> on November 15, 2022.

7. Attached as **Exhibit 55** is a true and correct copy of excerpts from the deposition of Harold Scoggins, taken in this matter on September 14, 2021.

8. Attached as **Exhibit 56** is a true and correct copy of the Seattle City Council’s Ordinance 126283 signed February 18, 2021, codifying the attached excerpted 2018 Seattle Fire Code. This document was collected from <http://seattle.legistar.com/View.ashx?M=F&ID=9220113&GUID=B72C4BDB-5FB2-4F08-9C40-A3E768DFBBFD> on November 15, 2022.

9. Attached as **Exhibit 57** is a true and correct copy of the Seattle City Council’s Ordinance 125392 signed August 18, 2017, codifying as amended the 2015 Seattle Fire Code. The Legislative Summary and Ordinance was collected from <https://seattle.legistar.com/View.ashx?M=F&ID=5506548&GUID=8A0E764E-C339-442B-841F-85F0F00AF0DA> on November 15, 2022. The attached excerpts from the 2015 Seattle Fire Code were obtained from the City of Seattle. An electronic version of the 2015 Seattle Fire Code is

1 available at [https://www.seattle.gov/sdci/codes/codes-we-enforce-\(a-z\)/fire-](https://www.seattle.gov/sdci/codes/codes-we-enforce-(a-z)/fire-code#2015seattlefirecode)
2 [code#2015seattlefirecode](https://www.seattle.gov/sdci/codes/codes-we-enforce-(a-z)/fire-code#2015seattlefirecode).

3 10. Attached as **Exhibit 58** is a true and correct copy of an excerpt from the April 28, 2022
4 Expert Report of Arik Van Zandt in this action.

5 11. Attached as **Exhibit 59** is a true and correct copy of the Seattle Streets Illustrated
6 Section 1.4 Departmental Roles and Responsibilities. This document was collected from
7 <https://streetsillustrated.seattle.gov/overview/departamental-roles-and-responsibilities/> on
8 November 15, 2022.

9 12. Attached as **Exhibit 60** is a true and correct copy of excerpts from the deposition of
10 Seth Stoughton, taken in this matter on August 30, 2022.

11 13. Attached as **Exhibit 61** is a true and correct copy of an excerpt from the deposition
12 of Mike Malone, taken in this matter on August 22, 2022, which was inadvertently omitted from
13 Exhibit 43 (Dkt 112-43).

14 14. Attached as **Exhibit 62** is a true and correct copy of an excerpt from the deposition
15 of Matthew Ploszaj, taken in this matter on June 10, 2021, which was inadvertently omitted from
16 Exhibit 7 (Dkt 112-7).

17 I swear under the penalty of perjury under the laws of the United States that the foregoing
18 is true and correct.

19 DATED this 15th day of November, 2022, at Seattle, Washington.

20
21 s/ Shane P. Cramer
SHANE P. CRAMER